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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

KISHIMOTO, Toshiki, NAKAMURA, Nobuo.

Group Art Unit: 2872

Serial No.: 10/531,284

Examiner: Lee A. Fineman

Filed: April 14, 2005

P.T.O. Confirmation No.: 5061

For: MAGNETIC OPTICAL ELEMENT, PROCESS FOR ITS PRODUCTION
AND OPTICAL ISOLATOR INCORPORATED WITH THIS MAGNETIC
OPTICAL ELEMENT

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

May 10, 2007

Sir:

This is in response to the Office Action of April 4, 2007, requiring election among various species of the subject invention under the provisions of 35 USC § 121.

In the Office Action, it was indicated that the present invention contained the following patentably distinct inventions:

- I: Fig. 1 - Single-type optical isolator;
- II: Fig. 3 - Broadband semidouble-type optical isolator;

A further election is required if:

- a. Figs. 1 or 3 - Optical isolator with flat substrate and two magnets;
- b. Fig. 8 - Optical isolator with U-shaped single magnet

Serial No.: 10/531,284
OA dated 4/4/07
Resp. dated 5/10/2007

It was further indicated that the following claims are generic to the following species: Claims 1 and 3-6 appear to be generic between species Ia and Ib; and claims 2 and 13-16 appear to be generic to species IIa and IIb. It was therefore required that applicants elect a single disclosed species for prosecution on the merits to which the claims shall be restricted in the event the generic claim was not found to be allowable.

Applicants hereby elect the **Species II: Fig. 3 – Broadband semidouble-type optical isolator and Subspecies a. Figs. 1 or 3 – Optical isolator with flat substrate and two magnets** for prosecution on the merits in the event the generic claim is not found to be allowable. From a review of the specification and claims, it would appear that the **claims 2, 11, 13, 14, 15 and 16 read on the elected species.** Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected species.

Favorable consideration of the subject application is respectfully requested.

The Commissioner is authorized to charge our Deposit Account No. 01-2340 for any fee that is deemed necessary by the Patent and Trademark Office to be required to

Serial No.: 10/531,284
OA dated 4/4/07
Resp. dated 5/10/2007

effect consideration of this statement.

Respectfully submitted,

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